

## REMARKS

Claims 1-6 stand rejected under 35 U.S.C. 103(a) as obvious in view of US 6,246,961 to Sasaki et al. Applicants respectfully traverse and submit in the following remarks that the Examiner has not established a *prima facie* obviousness rejection of the claims, that the claims are patentable over Sasaki and that the finality of the rejection should be withdrawn.

The Examiner accedes that Sasaki “does not explicitly disclose determining a scaling factor that defines a ratio between dimensions of the obstacle” and that Sasaki does not “explicitly disclose determining a scaling factor that defines a ratio between dimensions of the obstacle” (**bold face emphasis added**). However, the Examiner goes on to argue that “Sasaki teaches equation (6) in which a ratio between dimension  $x$  in equation (6) and the  $\Delta x$  (the change in the dimension  $x$  obtained from the dimension  $x$  of the first image and the dimension  $x'$  of the second image) contained in parameter  $u = \Delta x/\Delta t \dots$ , the result of the ratio  $Z$  is used to determine the time of contact”. The Examiner contends therefore that, presumably the combination of Sasaki’s equation 6 and “ $Z$ ”, makes claim 1 obvious because it “obviously encompasses teaching determining the ratio of the dimensions of the images in order to determine the time to contact”.

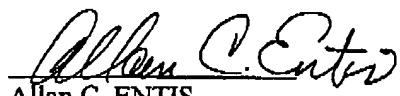
Applicants point out that the “dimensions”  $x$  and  $x'$  are positions of a same feature of an object imaged in first and second images acquired at two different times and that  $\Delta x$  is a change in position of the feature between the first and second images. The “dimensions”  $x$  and  $x'$  therefore are not “dimensions of the obstacle in the images” claimed in claim 1, and applicant could not find in the Examiner’s remarks any support as to why  $x$  and  $x'$  should or could be identified with, or imply, dimensions of the obstacle. The Examiner’s concluding contention that Sasaki “obviously encompasses teaching … dimensions of the images…” does not provide such support. The contention is at best conclusory and stimulated by hindsight and does not by itself explicitly proffer such an identification, since “dimensions of images” are not dimensions of objects in the images.

With regard to the ratio between dimensions of the obstacle Sasaki, (as noted by the Examiner) does not explicitly teach such a ratio and applicants submit that the Examiner has not provided support for anything in Sasaki that can be identified with or imply such a ratio. The “ratio  $Z$ ”, presumably the ratio  $Z/\Delta$  in equations 11 and 12 of Sasaki (there appears to be a clerical error in Sasaki and the ratio  $Z/\Delta$  should be  $Z/\alpha$ ), is a ratio of a distance to a velocity

and not a ratio of dimensions, and certainly not a ratio of dimensions of the obstacle. As with dimensions of the obstacle, the applicants submit that the Examiner's concluding contention does not provide support for Sasaki teaching a ratio of dimensions of the object.

In view of the above, applicants submit that the Examiner has not provided support for a prima facie obviousness rejection of claim 1 based on Sasaki, that claim 1 is patentable over Sasaki and that claims dependent on claim 1 are patentable, either because of their dependence on claim 1 or because of patentable material that they contain.

Respectfully submitted,  
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